

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

UTILITY PATENT APPLICATION TRANSMITTAL

Only for new nonprovisional applications under
37 C.F.R. 1.53(b)

Attorney Docket No.	1855.2058-001
First Named Inventor or Application Identifier	Sean A. McCarthy <i>et al.</i>
Express Mail Label No.	EV 215729034 US

Title of
Invention

Novel Genes Encoding Proteins Having Prognostic, Diagnostic, Preventive, Therapeutic and
Other Uses

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

U.S. PTO
10/7 8332

1. ☒ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. ☒ Specification **Total Pages [85]**
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
3. ☒ Drawing(s) (35 U.S.C. 113) **Total Sheets [18]**
☐ Fig. of the Drawings for Publication ☐
☒ No Figure to be Published
4. ☒ Oath or Declaration **Total Pages [4]**
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 C.F.R. 1.63(d))
(for continuation/divisional with Box 17 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting
inventor(s) named in the prior
application, see 37 C.F.R. 1.63(d)(2)
and 1.33(b).
5. ☐ CD-ROM or CD-R in duplicate, large table or Computer
Program (Appendix)

6. ☒ Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. ☐ Computer Readable Form
 - b. ☒ Paper Copy (identical to computer copy)
[24] Pages
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment Papers (cover sheet & documents)
☒ Assignee -
Millennium Pharmaceuticals, Inc.
Cambridge, Massachusetts
8. ☐ Power of Attorney ☐ 37 C.F.R. 3.73(b) Statement
9. ☐ English Translation Document (if applicable)
10. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
11. ☐ Preliminary Amendment
12. ☒ Return Receipt Postcard
13. ☐ Small Entity Statement(s)
- 14a. ☐ Foreign Priority Claim under 35 U.S.C. §119 or 365
- 14b. ☐ Certified Copy of Priority Document(s)
15. ☐ Nonpublication Request (check parent application)
16. ☒ Other Request Under 37 C.F.R. § 1.821(e) and Statement
Under 37 C.F.R. § 1.821(f); Remarks; Copies of Revocation of
Powers of Attorney and Appointment of New Attorneys and/or
Agents and Statement Under 37 C.F.R. § 3.73(b)

17. If a CONTINUING APPLICATION, check appropriate box; supply the requisite information.

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/803,589

Prior application information: Examiner: Eileen B. O'Hara, Ph.D. Group Art Unit: 1646


The entire disclosure of the prior application is considered a part of the disclosure of the accompanying application and is
hereby incorporated herein by reference.
(Add standard Related Applications section with incorporation by reference to specification or update same)

18. CORRESPONDENCE ADDRESS

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Signature	<i>Robert H. Underwood</i>	Date	<i>November 20, 2003</i>
Submitted by Typed or Printed Name	Robert H. Underwood	Reg. Number	45,170

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

FEE TRANSMITTAL FOR PATENT APPLICATIONS		Attorney Docket Number		1855.2058-001	
		Application Number			
		First Named Inventor		Sean A. McCarthy	
CLAIM CALCULATION (includes any preliminary amendment)					
CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS <small>(37 CFR 1.16(c) or (j))</small>	37 - 20* =	17	x \$ 18 =	\$ 306
	INDEPENDENT CLAIMS <small>(37 CFR 1.16(b) or (i))</small>	2 - 3** =	0	x \$ 86 =	\$ 0
	MULTIPLE DEPENDENT CLAIMS (if applicable) <small>(37 CFR 1.16(d))</small>			+ \$ 290 =	\$
				BASIC FEE <small>(37 CFR 1.16(a) or (h))</small>	\$ 770
				Total of above Calculations =	\$ 1076
	Reduction by 50% for filing by small entity <small>(37 CFR 1.9, 1.27, 1.28)</small> =			\$	
	TOTAL =			\$ 1076	
	Surcharge - Late Filing of Declaration or Filing Fees <small>(37 C.F.R. 1.16(e))</small> =			\$	
	Petition for Extension of Time Fee <small>(37 C.F.R. 1.17)</small> =			\$	
	Assignment Recordation Fee = <small>(only when filed with application)</small>			\$	
	[Other]			\$	
	* Reissue claims in excess of 20 and over original patent ** Reissue independent claims over original patent			TOTAL =	\$ 1076
<p>1. Small entity status:</p> <p style="margin-left: 40px;">a. <input type="checkbox"/> A small entity statement is enclosed.</p> <p style="margin-left: 40px;">b. <input type="checkbox"/> A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.</p> <p style="margin-left: 40px;">c. <input type="checkbox"/> Is no longer claimed.</p> <p>2. <input checked="" type="checkbox"/> A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.</p> <p>3. <input checked="" type="checkbox"/> A check is enclosed for \$1076. <input type="checkbox"/> Please charge \$[] to Deposit Account No. 08-0380.</p> <p>4. <input type="checkbox"/> Other: _____</p>					
Signature				Date	November 20, 2003
Submitted by Typed or Printed Name		Robert H. Underwood		Reg. Number	45,170

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Sean A. McCarthy, Douglas A. Holtzman and Andrew D.J. Goodearl

Continuation Application of

Application No.: 09/803,589

Filed: March 9, 2001

For: NOVEL GENES ENCODING PROTEINS HAVING PROGNOSTIC,
DIAGNOSTIC, PREVENTIVE, THERAPEUTIC AND OTHER USES

Date: November 20, 2003

EXPRESS MAIL LABEL NO. EV 215 729034 US

REMARKS

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The above-captioned application is a continuation of application number 09/803,589 filed on March 9, 2001, to which priority is claimed under 35 U.S.C. §120.

The specification of the present application is substantially the same as that of the parent application. On page 1, document identifying information and an express mail label have been added, and the related applications paragraph has been revised to include a specific reference to the parent application. The Attorney's docket number in the header of all subsequent pages has been revised. No new matter has been added.

Pursuant to 37 C.F.R. 1.63(d)(4), please note that a Revocation of Powers of Attorney and Appointment of New Attorneys and/or Agents was submitted in parent Application No. 09/803,589. Please send all correspondence in the above-identified continuation application to:

-2-

Customer No. 021005; Hamilton, Brook, Smith & Reynolds, P.C., 530 Virginia Road, P.O. Box 9133, Concord, Massachusetts 01742-9133. In addition, please direct all telephone calls to Helen E. Wendler, Esq. at (978) 341-0036, and all facsimile communications to (978) 341-0136.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Robert H. Underwood
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Dated: *November 20, 2003*